

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the remarks presented below.

The instant Amendment After Final Office Action pursuant to 37 CFR 1.116 is filed to place the application in condition for allowance to advance the prosecution of the instant application. Claims 1-50 are pending, and stand rejected over cited prior art, *inter alia*, U.S. patent application No. 2002/0099580 A1 to Daryl E. Eicher, Jr., *et al.*, published July 25, 2002 (“Eicher, *et al.*”). Applicants’ further appreciate the Examiner’s constructive indications from the first paragraph of page 3 of the Final Action concerning Applicants’ inventions as opposed to the Eicher, *et al.* system which does not actively participate in any actual trading. As discussed herein, Applicants’ amendments of Independent Claims 1, 17, 32, 38, and 41 as set forth are presented according to subject matter believed allowable, and which patentably define over the prior art and place the Claims in condition for allowance. Approval of these amendments and allowance of the pending Claims is respectfully requested.

The Eicher, *et al.* application does not disclose a Supply Chain Management System at all. It discloses a transaction monitoring system. After transactions have been completed by other means not disclosed in the Eicher, *et al.* application, Eicher’s apparatus extracts data from records of the completed transactions and transforms this data into reports that indicate how well the partners to a series of transactions have performed.

Eicher, *et al.* relates to the collection completed transaction records. For example Eicher, *et al.* at Figure 2 *et seq.*, buyers 16 and suppliers 18 are actively buying and selling across the Internet 14, using tools that are not disclosed in the Eicher, *et al.* application. Agents 17 intercept or retrieve files descriptive of completed transactions that have occurred, extract data from these files, and then pass the data on to a server system 12, which generates reports such as the typical report shown in Figure 16 of Eicher, *et al.* The Eicher, *et al.* apparatus is thus confined entirely to the data gathering agents 17 and to a Supply Performance Management Server System 12 that is shown in

the upper-left corner of Figure 2. The Eicher, *et al.* system thus does not actively participate in any actual trading. It simply sits off to the side, monitoring and recording some of the results of such trading.

Independent Claims 1, 17, 32, 38 and 41 are Patentable over Eicher, *et al.*

Claim 1 has been amended to recite processing the request in the context for the transaction with the end-user or the partner of said receiving step and the existing partner system actively participating in at least one actual transaction. Claim 17 has been amended to recite the processing facility operable to access real-time data relevant to the transaction from an existing partner system, the processing facility operable to generate a context for the transaction using the real-time data with the end-user or the partner of said interface operable to receive the request and the existing partner system actively participating in at least one actual transaction, the processing facility operable to process the request in the context for the transaction. Claim 32 has been amended to recite the execution process engine as operable to execute a respective workflow in the context for each transaction using the real-time data actively participating in at least one respective transaction, each workflow comprising a plurality of tasks to be performed by the enterprise or the partner in order to fulfill the respective transaction with the enterprise or the partner actively participating in at least one actual transaction. Claim 38 has been amended to recite the data access layer as operable to provide the process workflow access to the real-time data relating to the transaction, thereby providing a context for the transaction during processing with the partner in the supply chain actively participating in at least one actual transaction. Claim 41 has been amended to recite the network domain gateway as operable to communicate with a partner coordinator component integrated with an existing system of the partner to provide real-time data relevant to the transaction from the existing system of the partner network execution component with the real-time data facilitating active processing between the enterprise and the at least one partner in the supply chain for actively participating in at least one actual transaction. Accordingly, for the forgoing reasons stated above, the pending claims are believed to be in condition for allowance.

Conclusion

Accordingly, all of the claims are believed to be patentable over the art of record, for the reasons stated above. Dependent claims not separately argued above are allowable because of their dependency upon other allowable claims. Accordingly, early and favorable action is respectfully requested.

Applicant believes that the present application, as amended, is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. For at least the above reason, reconsideration of this application in view of the above arguments and withdrawal of the rejection are respectfully requested. If the Examiner would like to discuss Applicant's invention prior to issuing an action, the Examiner should feel free to contact the undersigned attorney. In view of the foregoing, Applicant has placed the case in condition for reconsideration and respectfully requests allowance of the pending claims.

Respectfully submitted,

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